

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

US FOODS, INC.,

Plaintiff,

v.

Case No.: 2-19-cv-00946-JFC

WILLIAM T. KANE aka BILL T. KANE, an
individual; and RONALD G. LINABURG,
D.D.S., an individual,

Defendants.

**UNOPPOSED MOTION TO EXTEND DEADLINE
TO COMPLETE MEDIATION AND FACT DISCOVERY**

Plaintiff US Foods, Inc., by its counsel, sets forth this Unopposed Motion to Extend Deadline to Complete Mediation and Fact Discovery as follows:

1. Due to COVID-19, this Court extended the deadline for the parties to complete mediation until July 10, 2020 and the deadline to complete fact discovery to August 14, 2020. (ECF No. 54).
2. In compliance with this Court's Order, on July 9, 2020, the parties participated in mediation by video with Judge Gary P. Caruso.
3. During the mediation, Judge Caruso and the parties determined that, in order for mediation to be fruitful, the Defendants should provide certain financial information to Plaintiff. Defendants are in the process of gathering this information.
4. The parties are engaged in settlement discussions and believe that a second mediation session with Judge Caruso may be necessary.

5. In addition, in light of the national emergency created by the COVID-19, and in light of the guidelines imposed by the Centers for Disease Control and Prevention, the parties seek this additional time to coordinate mediation and discovery efforts.

6. As a result, the parties seek this Court's permission to extend the deadline to complete mediation to October 30, 2020 and to complete fact discovery until December 14, 2020.¹

7. Counsel for Defendants consent to the filing of this Motion.

WHEREFORE, Plaintiff US Foods, Inc. respectfully requests that this Court extend the deadline to complete mediation until October 30, 2020 and to complete fact discovery until December 14, 2020.

DATED this 10th day of July, 2020.

**STRASSBURGER, MCKENNA, GUTNICK &
GEFSKY**

By: /s/ Gretchen E. Moore
Gretchen E. Moore
Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
gmoore@smgglaw.com

BRYAN CAVE LEIGHTON PAISNER LLP

By: /s/ Maria Z. Vathis
Maria Z. Vathis
161 N. Clark Street, Suite 4300
Chicago, IL 60601
(312) 602-5127
maria.vathis@bclplaw.com

Attorneys for Plaintiff US Foods, Inc.

¹The Court also has a status conference scheduled for August 25, 2020 that it may wish to reschedule.

CERTIFICATE OF SERVICE

The undersigned counsel certifies that on July 10, 2020, a true and correct copy of the foregoing Unopposed Motion to Extend Certain Deadlines to Complete Mediation and Fact Discovery was served via electronic mail to:

Dennis M. Blackwell
The Blackwell Law Firm
223 Fourth Avenue
Benedum Trees Building, 9th Floor
Pittsburgh, PA 15222 (412) 391-5299
db@theblackwelllawfirm.com
Attorneys for Defendant Kane

Robert O. Lampl
Ryan J. Cooney
Robert O. Lampl Law Office
Benedum Trees Building
223 Fourth Avenue 4th Floor
Pittsburgh, PA 15222
(412) 392-0330
rol@lampllaw.com
rcooney@lampllaw.com
Attorneys for Defendant Kane

Michael Oliverio
John J. Heurich
The Lynch Law Group
501 Smith Drive
Suite 3
Cranberry Township, PA 16066
724-776-8000
moliverio@lynchlaw-group.com
jheurich@lynchlaw-group.com
Attorneys for Defendant Linaburg

Brian C. Thompson
Thompson Law Group, P.C.
125 Warrendale Bayne Road, Suite 200
Warrendale, PA 15086
724-799-8404
Attorneys for Defendant Linaburg

By: /s/ Gretchen E. Moore